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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shah

Serial No.: 09/248,524

Group Art Unit: 1617

Filed: February 9, 1999

Examiner: Wells, Lauren Q.

For: Long-Wearing Cosmetic Compositions

CLAIM AMENDMENTS

1. (currently amended) A long-wearing cosmetic composition comprising a polymeric component selected from the group consisting of an acrylic acid [derived] polymer, acrylic acid [derived] copolymer, acrylic acid ester [derived] polymer, acrylic acid ester [derived] copolymer, a methacrylic acid [derived] polymer, a methacrylic acid [derived] copolymer, a methacrylic acid ester [derived] polymer, and a methacrylic acid ester [derived] copolymer and at least one water soluble organic pigment.

2. (original) The composition of claim 1 wherein said polymeric component is present in an amount of from about 5 to about 95 percent by weight of composition.

3. (previously presented) The composition of claim 2 wherein said polymeric component comprises monomeric elements having 1 to 18 carbon atoms.

4. (original) The composition of claim 3 wherein at least one of said monomeric elements are selected from the group consisting of methacrylate, methylmethacrylate, butylacrylate, and combinations thereof.

5. (previously presented) The composition of claim 1 wherein said polymeric component is ammonium acrylate.

6. (original) The composition of claim 1 wherein said water soluble organic pigment is present in an amount of from about 1 to about 20 percent by weight of composition.

7. (original) The composition of claim 1 wherein said water soluble organic pigment is selected from the group consisting of a natural pigment, a monomeric synthetic pigment, a polymeric synthetic

pigment, and combinations thereof.

8. (previously presented) The composition of claim 7 wherein said water soluble organic pigment is selected from the group consisting of FD&C blue No.1, D&C green No. 5, FD&C red No. 40, FD&C yellow No. 5, and combinations thereof.

9. (original) The composition of claim 1 further comprising an inorganic pigment present in an amount of no more than about 1 to about 10 percent by weight of the composition.

10. (currently amended) A long-wearing cosmetic eyeliner or body paint composition comprising: a) from about 5 to about 95 weight % of a polymeric component selected from the group consisting of an acrylic acid [derived] polymer, an acrylic acid [derived] copolymer, an acrylic acid ester [derived] polymer, an acrylic acid ester [derived] copolymer, a methacrylic acid [derived] polymer, a methacrylic acid [derived] copolymer, a methacrylic acid ester [derived] polymer, and a methacrylic acid ester [derived] copolymer; and b) from about 1 to about 20 weight % of at least one water soluble organic pigment.

11. (original) The composition of claim 10 wherein said polymeric component is present in an amount of from about 20 to about 50 percent by weight of the composition.

12. (previously presented) The composition of claim 11 wherein said polymeric component comprises monomeric elements having 1 to 18 carbon atoms.

13. (original) The composition of claim 12 wherein at least one of said monomeric elements is selected from the group consisting of methacrylate, methylmethacrylate, butylacrylate, and combinations thereof.

14. (previously presented) The composition of claim 10 wherein said polymeric component is ammonium acrylate.

15. (original) A flow-through cosmetic applicator comprising the composition of claim 1.

16. (previously presented) The applicator of claim 15 wherein said applicator is an eyeliner pen having a nib.

17. (original) A flow-through cosmetic applicator comprising the composition of claim 10.

18. (previously presented) The applicator of claim 17 wherein said applicator is an eyeliner pen having a nib.

19. (currently amended) A method of preparing a long-wearing cosmetic composition comprising combining a polymeric component selected from the group consisting of an acrylic acid [derived] polymer, an acrylic acid [derived] copolymer, an acrylic acid ester [derived] polymer, an acrylic acid ester [derived] copolymer, a methacrylic acid [derived] polymer, a methacrylic acid [derived] copolymer, a methacrylic acid ester [derived] polymer, and a methacrylic acid ester [derived] copolymer, and a water soluble organic pigment.

20. (previously presented) A method according to claim 19 wherein the polymer comprises monomeric elements having 1 to 18 carbon atoms.

21. (original) A method according to claim 20 wherein at least one of the monomeric elements is selected from the group consisting of methacrylate, methylmethacrylate, butylacrylate, and combinations thereof.

22. (previously presented) A method of preparing a long-wearing cosmetic composition for use in a flow-through eyeliner pen having a nib comprising combining an ammonium acrylate copolymer and a water soluble organic pigment.